

**BOULDER CITY COUNCIL MEETING
MUNICIPAL BUILDING, 1777 BROADWAY**

Tuesday, July 6, 2010

6:00 p.m.

AGENDA

1. CALL TO ORDER AND ROLL CALL

Mayor Osborne called the regular July 6, 2010 council meeting to order at 6:00 p.m. in the council chambers.

Those present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Appelbaum, Becker, Cowles, Gray, and Karakehian.

Council Member Morzel arrived at 6:30 p.m.

2. PUBLIC PARTICIPATION and COUNCIL/STAFF RESPONSE – 6:05 p.m.

1. Steve Pomerance asked Council to pass on first reading the utility excise tax that the decarbonization tech team put forward to Council. He stated several things that needed to be included in the Xcel Franchise ballot item, even though he didn't support it. Council Member Becker asked Steve to put his comments in an email to Council.
2. Dan C. Winters spoke to the illegal immigration issue and a recent experience in a local restaurant. He asked council to welcome immigrants in our community and help relieve the fear.
3. Rob Smoke raised concern about Senator Bennett campaign signs in public right-of-ways in Boulder over the weekend. He suggested the City provide a letter to Bennett's office indicating the signs were illegal and asking them not to violate the law in the future.
4. Robert Cluster spoke to the illegal immigration issue raising concern that staff wrote the recommendations rather than the Human Relations Commission. He urged Council to make a decision immediately.
5. Arnold Carlson spoke to the SmartRegs proposal. He is an absentee landlord and wondered why rental properties were being singled out.
6. Elizabeth Allen asked Council to consider the revitalization of the Hill rather than the re-development. She spoke in opposition to high density on the Hill and urged Council to include students in the discussion. She also asked council to keep the 55 ft. solar renewable energy impacts low to maintain the mountain views. Please protect the immigrant community.
7. Audrey Fishman Franklin spoke to the illegal immigration issue and asked council to continue its stance on addressing fairness and injustice.
8. Sheila Horton with the Boulder Area Rental Housing Association thanked Council for its cooperation in improving the ordinance. She recommended and supported Option C. She suggested "50" owners might be changed to "dozens of properties" instead. She asked that items other than financial income be considered for hardship award. The implementation period in Option C would allow more time to work out the condominium situation.

9. Keith Jimmerson spoke to the West Trail Study Area and the need to balance recreation and preservation. He raised concern about mountain bikes being allowed on the trails and the potential environmental impacts that come with it. Please don't allow mountain bikes on the West TSA trail.
10. John Russell spoke to the illegal immigration issue and urged council to support the current stance against discrimination.
11. Margaret Thompson lives in Arizona 5 months of each year and asked Council, how dare you? She felt council was overstepping its boundaries. She commented that this was a national issue and this oversteps the voters' rights to contact and work through state legislators.
12. John Pugh serving on the community working group on the Housing Code Changes spoke in support of option C on the SmartRegs item.
13. Thomas Volkhausen urged Council to implement SmartRegs and supported Option B in the staff memo commenting that it did not require a significant pilot project. Please implement the simplest and most effective items right away.
14. Sharon Carlson from Arizona spoke in support of Arizona's new law commenting that illegals are only being asked to get papers to show just as American citizens have to show theirs frequently.
15. John Farnbach spoke to the SmartRegs issue and urged council to keep the SmartRegs points system, but add an estimated energy cost. He also asked council to require labeling in the rental agreements to give people the choice. Please consider a market driven approach.
16. Scot Woolley works on Campus to promote energy conservation at CU and the response has been overwhelming. Students are excited about saving energy and money. Please strongly support SmartRegs and carbon reduction.
17. Francoise Poinsette thanked council and the Landlord Association for its hard work on SmartRegs. She urged Council to support Option B with a shorter implementation period.
18. Erik Rudolph commented that SmartRegs were currently devaluing properties. He urged council to see that there are cost-effective ways to ensure compliance. Keep the pathway flexible enough for landlords.
19. Jason Buis with New Era Colorado commented that he felt SmartRegs would eventually improve property value and make it more attractive for renters. It could potentially boost the economy, create more jobs and urged council to move forward. Also, please work with the state legislature to make immigration easier.
20. Karey Christ-Janer spoke to the Xcel Franchise agreement commenting that it puts residents in a tenable position.
21. Josh Zeidner an intern at New Era Colorado spoke in support of SmartRegs. He delivered 241 postcards in favor of SmartRegs that were collected throughout the City.
22. Mark Fearer, former Director of the Boulder Tenants Union, spoke in favor of the SmartRegs proposal. He expressed dismay at the last two options, including option C, as it was too long a time period to put sensible regulations into effect. He strongly supported option A.
23. Tim Rohrer spoke on behalf of a homeowners group in Boulder raising concern about one item, IPMC 101.2, which affects all properties. Residents had considerable difficulty locating the code language. Please provide access to the law.

City Manager Follow-up: None.

City Attorney Follow-up: None.

Council Follow-up:

Council Member Gray asked whether staff would address the IPMC code issue in its SmartRegs presentation. Acting City Attorney Gehr confirmed.

Mayor Osborne asked about the Senator Bennett campaign signs issue raised by Mr. Smoke. Acting City Attorney Gehr commented that typically city staff go around and remove illegally placed signs. Council Member Wilson commented that sometimes signs aren't removed very quickly by code enforcement.

3. **CONSENT AGENDA:** - 7:00 p.m.

Acting City Attorney Gehr provided Council with a packet of information that attempted to address Hotline comments and CAC questions from Council Members and incorporating those into the accommodations tax and utility excise tax items.

- A. **APPROVAL OF CITY COUNCIL MEETING MINUTES FROM APRIL 20, 2010.**
- B. **APPROVAL OF CITY COUNCIL MEETING MINUTES FROM MAY 17, 2010.**
- C. **APPROVAL OF CITY COUNCIL MEETING MINUTES FROM MAY 25, 2010.**
- D. **APPROVAL OF CITY COUNCIL MEETING MINUTES FROM JUNE 1, 2010.**

Council Member Gray requested a correction on page 9 of item 3D noting a sentence should read "vacation rentals" and not "summer rentals."

- E. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE APRIL 27, 2010 JOINT CITY COUNCIL AND PLANNING BOARD STUDY SESSION REGARDING THE HILL REVITALIZATION.**
- F. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE JUNE 3, 2010 CITY COUNCIL STUDY SESSION REGARDING WASTE REDUCTION: ZERO WASTE PLANNING; 6400 ARAPAHOE ROAD; AND SINGLE-HAULER ISSUES AND OPPORTUNITIES.**
- G. **CONSIDERATION OF A MOTION TO ACCEPT THE SUMMARY OF THE JUNE 3, 2010 STUDY SESSION ON BOULDER'S ENERGY FUTURE.**
- H. **CONSIDERATION OF A MOTION TO ADOPT RESOLUTION NO. 1070 AND RESOLUTION NO. 1071 FINDING THAT THE FOLLOWING PETITIONS TO ANNEX ARE IN COMPLIANCE WITH STATE STATUTES AND ESTABLISHING AUGUST 17, 2010 AS THE DATE FOR FINAL ACTION FOR THE FOLLOWING ANNEXATION REQUESTS:**
 - 1. **THIRTY PARCELS LOCATED IN THE GAPTER ROAD NEIGHBORHOOD AT 993 GAPTER RD., 980 GAPTER RD., 961 GAPTER RD., 954 GAPTER RD., 932 GAPTER RD., 931, GAPTER RD., 898 GAPTER RD., 897 GAPTER RD., 881 GAPTER RD., 880 GAPTER RD., 859 GAPTER RD., 858 GAPTER RD., 841 GAPTER RD., 819 GAPTER RD., 814 GAPTER RD., 797 GAPTER RD., 792 GAPTER RD., 777 GAPTER RD., 772 GAPTER RD., 751 GAPTER RD., 724 GAPTER RD., 723 GAPTER RD., 1225 GAPTER RD.,**

1156 GAPTER RD., 1112 GAPTER TD., 1084 GAPTER RD., 1064 GAPTER RD., 1051 GAPTER RD., 1040 GAPTER RD., 1010 GAPTER RD., (#LUR2009-00074) AND;

- 2. OPEN SPACE AND MOUNTAIN PARKS DEPARTMENT, BURKE II PROPERTY ON BASELINE ROAD BETWEEN 55TH STREET AND CHERRYVALE ROAD (#LUR2010-00027). APPLICANT/OWNER, CITY OF BOULDER OPEN SPACE AND MOUNTAIN PARKS DEPARTMENT.**

Council Member Wilson asked for more background on the OSMF Burke II property with information about its history of purchase and acquisition and the original intent.

Council Member Appelbaum asked what the implications are of open space property being annexed. He would also like to see a clear map of the whole Cherryvale neighborhood showing what's in and what's out. He asked what the implications are of annexing another road and what the financial implications are to the City.

Council Member Morzel agreed with Council Member Appelbaum's questions and asked that annexation costs be included in the July 20 packet. She requested clarification on whether there were two separate resolutions for the item as the acreage is different on each. Acting City Attorney Gehr confirmed there were two separate resolutions.

- I. INTRODUCTION, FIRST READING AND PASSAGE, AS AN EMERGENCY MEASURE, OF AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A REVOCABLE PERMIT TO PUBLIC SERVICE COMPANY OF COLORADO FOR THE USE OF THE PUBLIC RIGHTS-OF-WAY IN ORDER TO PROVIDE ELECTRICAL AND GAS UTILITY SERVICES TO THE CITY AND ITS RESIDENTS THROUGH DECEMBER 31, 2010.**

Council Member Morzel asked why the item refers to 'Public Service Company of Colorado' instead of Xcel. Acting City Attorney Gehr confirmed that it's a "doing business as" name. Council Member Morzel asked that this be called out for the public.

- J. INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE PROPOSING AN AMENDMENT TO TITLE 9, "LAND USE CODE" B.R.C. 1981 RELATED TO THE BMS (BUSINESS-MAIN STREET) ZONING DISTRICT.**
- K. ITEMS PERTAINING TO THE FORMATION OF TWO PROPOSED BOULDER JUNCTION ACCESS GENERAL IMPROVEMENT DISTRICTS (GID) AND FORMATION OF THE ADVISORY COMMISSION FOR EACH GID; SETTING AN ELECTION FOR THE DISTRICT AND APPROVING RELATED DOCUMENTS FOR THE CITY-OWNED PROPERTY WITHIN THE DISTRICT BOUNDARIES:**
 - 1. CONSIDERATION OF A MOTION TO ADOPT A RESOLUTION ACCEPTING THE PETITIONS, WITH CERTIFICATION OF SUFFICIENCY BY THE CITY CLERK, OF THE PROPOSED BOULDER JUNCTION ACCESS GENERAL IMPROVEMENT DISTRICT – PARKING ("BJAGID-PARKING" OR "PARKING DISTRICT") AND BOULDER JUNCTION ACCESS GENERAL IMPROVEMENT DISTRICT – TRAVEL DEMAND MANAGEMENT ("BJAGID-TDM" OR "TDM DISTRICT") AND SETTING JULY 20, 2010,**

AS THE DATE FOR A PUBLIC HEARING ON FORMATION OF SUCH GIDS.

2. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY TWO ORDINANCES (ATTACHMENTS A AND B) APPROVING FORMATION OF TWO GIDS; THE BJAGID - PARKING AND BJAGID –TDM AND RESPECTIVE PETITIONS (EXHIBIT A TO PARKING ORDINANCE AND EXHIBIT A TO TDM ORDINANCE), ESTABLISHING THE ADVISORY COMMISSIONS THEREOF; CALLING A SPECIAL ELECTION BY MAIL BALLOT ON NOVEMBER 2, 2010, FOR EACH PROPOSED DISTRICT AT WHICH THE DISTRICT ELECTORS AND PROPERTY OWNERS WITHIN SUCH GID SHALL CONSIDER A MAXIMUM AD VALOREM PROPERTY TAX, AND MAXIMUM AUTHORIZATION OF DEBT, AND SETTING FORTH RELATED DETAILS.**
3. **CONSIDERATION OF A MOTION TO AUTHORIZE THE CITY MANAGER TO SIGN, ON BEHALF OF THE CITY OF BOULDER, THE CONSENT TO INCLUSION FOR THE CITY PROPERTY LOCATED WITHIN THE BOULDER JUNCTION PHASE 1 AREA AT THE NORTHEAST CORNER OF PEARL AND 30TH STREETS, KNOWN AS THE POLLARD PROPERTY, INTO BOTH THE BJAGID-PARKING AND THE BJAGID-TDM AND THE COOPERATION AGREEMENTS BETWEEN THE CITY OF EACH DISTRICT IN SUBSTANTIALLY THE SAME FORM AS ATTACHMENTS C AND E.**

Council Member Appelbaum indicated he sent a Hotline message in with a few questions for staff. He raised concern about Board members having veto authority of Council in terms of raising mill levies.

- L. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE PLACING ON THE NOVEMBER 2, 2010 ELECTION BALLOT A BALLOT ISSUE TO INCREASE THE ACCOMMODATIONS TAX BY 2% (FROM 5.5% TO 7.5%) AND DETAILS RELATED THERETO.**

Council Member Ageton thanked Acting City Attorney Gehr for putting together Council's hotline comments. She suggested the item be amended and moved forward as stated in the City Attorney's revised packet as the changes were not substantive.

Council Member Appelbaum suggested changes relating to language that would state "up to 20% of revenues generated."

Council Member Morzel raised concern with the tax being in perpetuity. Mayor Osborne suggested council would like to look at other taxes that have been done in this manner. Council Member Morzel would like to see the tax dedicated.

Council Member Becker asked, even if the item moved forward this evening, that Council discuss the language Council Member Ageton suggested further at second reading.

Council Member Appelbaum urged Council that he would like the ballot items to move forward without requiring passage as emergency on third reading.

Council Member Karakehian asked that Marianne Mahoney address the issue of return on investment at second reading.

M. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY TWO ORDINANCES SUBMITTING TO THE ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, THE ISSUE OF WHETHER THE CITY OF BOULDER TAXES SHOULD BE INCREASED BY UP TO \$5 MILLION (IN THE FIRST FULL FISCAL YEAR) ANNUAL AND BY WHATEVER AMOUNTS AS MAY BE COLLECTED ANNUALLY THEREAFTER:**

1. **BY THE IMPOSITION OF A UTILITY OCCUPATION TAX ON PUBLIC UTILITY COMPANIES THAT DELIVERY ENERGY TO CUSTOMERS IN THE FORM OF ELECTRICITY AND GAS, INCREASES IN SAID TAXES LIMITED BY THE CUMULATIVE INCREASE IN THE CONSUMER PRICE INDEX (ALL ITEMS) FOR THE DENVER METROPOLITAN AREA, OR EQUIVALENT INDEX, BEGINNING JANUARY 1, 2011; WHETHER THE CITY COUNCIL SHOULD BE AUTHORIZED TO CREATE EXEMPTIONS TO THE TAX FOR RENEWABLE ENERGY; OR**
2. **BY THE IMPOSITION OF A UTILITY EXCISE TAX ON PUBLIC UTILITY COMPANIES THAT DELIVER ENERGY TO CUSTOMERS IN THE FORM OF ELECTRICITY AND GAS AT THE RATE OF _____ PER KILOWATT HOUR (KWH) AND THE RATE OF _____ PER BRITISH THERMAL UNIT (BTU), BEGINNING JANUARY 1, 2011; WHETHER THE CITY COUNCIL SHOULD BE AUTHORIZED TO CREATE EXEMPTIONS TO THE TAX FOR RENEWABLE ENERGY.**

Deputy Mayor Wilson suggested all three options should be vetted and weighed out in terms of pros and cons and brought back to council at second reading.

Council Member Morzel suggested the ballot titles could be clarified for the public.

Acting City Attorney Gehr requested Council Members could offer further suggestions via Hotline.

N. **INTRODUCTION, FIRST READING AND CONSIDERATION OF A MOTION TO ORDER PUBLISHED BY TITLE ONLY AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF BOULDER AT THE SPECIAL MUNICIPAL COORDINATED ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2010, THE QUESTION OF AMENDING CITY CHARTER SECTION 84 TO ALLOW THE INSTALLATION OF ROOFTOP RENEWABLE ENERGY IMPROVEMENTS TO THE TOPS OF BUILDINGS THAT EXCEED 55 FEET IN HEIGHT, REGARDLESS OF WHETHER SUCH IMPROVEMENTS ARE APPURTENANT OR OTHERWISE ACCESSORY TO THE BUILDING; SETTING FORTH THE BALLOT TITLE; AND SPECIFYING THE FORM OF THE BALLOT AND OTHER ELECTION PROCEDURES.**

Council Member Ageton commented that, as written, the current ordinance would not have ANY caps on height for renewable energy improvements.

Council Member Gray clarified that an ordinance must be passed to put the item on the ballot. If it passed, it would require staff to analyze what would be appropriate to implement based on community values and planning staff would return with zoning regulations to implement the

item.

Council Member Gray moved, seconded by Becker to approve consent agenda items 3A through 3N with the changes outlined in the memo from David Gehr, Acting City Attorney, of July 6, 2010 and with item 3D amended. The motion carried unanimously 9:0 at 7:43 p.m.

4. **CALL- UP CHECK IN:** - 7:44 p.m.

No interest was expressed.

ORDER OF BUSINESS

5. **PUBLIC HEARINGS:**

None.

6. **MATTERS FROM THE CITY MANAGER:**

- A. **CONSIDERATION OF IMPLEMENTATION OPTIONS FOR THE SMARTREGS PROPOSAL. THE SECOND READING OF THE SMARTREGS RELATED ORDINANCES IS TENTATIVELY SCHEDULED FOR THE AUGUST 3, 2010 CITY COUNCIL MEETING. – 7:44P.M.**

Staff presentation by Kirk Moors and Yael Gichon, Residential Sustainability Coordinator. Mr. Moors provided IPMC Clarifications regarding public access and local amendments. Yael Gichon provided information on energy efficiency and implementation options. The staff recommendation was Option C as outlined in the staff memorandum.

Council Member Ageton asked about administrative costs of the Two Techs program. Ms. Gichon responded that administrative costs were still being negotiated with the County.

Council Member Gray asked whether the Two Techs program included low-income housing such as Thistle or Boulder Housing partners. Ms. Gichon responded that low-income housing could be served through the low-income weatherization programs but could potentially be prioritized into the Two Techs program.

Council Member Cowles asked about multi-family audits. Ms. Gichon indicated Xcel would come in and do a complete audit on commercial/multi-family buildings and covers most of that cost. The City's subsidy would vary based on the number of units.

Council Member Appelbaum asked, other than hardship, were there any other exceptions to meeting the 2018 compliance. Ms. Gichon commented that staff would return to Council after a one-year period to provide results and other suggestions about the program that were learned throughout the year. She noted that right now, other than financial hardship or something that was technically unfeasible there were no additional exceptions. Change of ownership did not affect the deadline.

Council Member Appelbaum and Mayor Osborne both expressed concern about rental properties participating prior to the 2018 deadline and expressed the need for frequent updates about the program and structure.

Council Member Cowles asked what kind of data would be collected. He noted there was little information available on green building changes/statistics. Ms. Gichon commented that utility bill information would be collected and there was funding available for case studies that would provide that kind of data for national and local use.

Deputy Mayor Wilson commented that there was a list of data in the memo that provided a good start.

Council Member Ageton clarified that to participate in the Two Techs program it was required that utility bill information be released. Ms. Gichon confirmed and indicated there was quite a bit of privacy worked into the process.

Council Member Morzel asked how a potential tenant could look at a house and get the energy bill from the prior year. Ms. Gichon responded that information would be provided to tenant through lease disclosures and could also call Xcel and request the information.

Council Member Ageton suggested staff collect data on the number of hardships and how those decisions were analyzed.

Council Member Cowles suggested a green lease provision for data collection that could be drafted by the city attorney. He also suggested that data could be collected that would inform residents of what kind of energy savings could be expected from particular upgrades.

Council Member Karakehian asked about the Xcel Demand Side Management and whether the program was dependent upon a franchise with Xcel. Acting City Attorney Gehr explained that the DSM program is solely an Xcel program eligible to all Xcel customers. Council Member Karakehian then asked staff to think about whether there was a way to incentivize the use of Boulder based businesses.

Council Member Ageton requested more information about how the financial hardship would work with the charge/fee structure. Mayor Osborne commented that now may be the time to reach out to residents who may need assistance affording the upgrades.

Council Member Appelbaum expressed that there were no other hardship exceptions anywhere in the code and he would support removing items related to the hardship exemptions.

Council Member Cowles moved, seconded by Ageton to direct staff to prepare ordinance language for a second reading that would implement Option C incorporating a compliance date for SmartRegs of December 31, 2018 for all rental properties in the City of Boulder. – 8:56 p.m.

Council Member Appelbaum offered a friendly amendment to remove numbers 8 and 10 on pages 13-15 of the memo to remove items related to the hardship exemptions. – 9:00 p.m. The friendly amendment was not accepted.

Council Members Becker and Gray left the meeting at 9:15 p.m.

B. CITY MANAGER'S REPORT ON CONSTRUCTION USE TAX PROCESS IMPROVEMENTS. – 9:17 P.M.

City Manager Brautigam provided the presentation on the item. She outlined changes to the process that would be implemented. Minor changes to the Construction Use Tax Code would

come to council as a first reading item on July 20, 2010. Further meetings with stakeholders will be held throughout the following year to assess the changes.

7. **MATTERS FROM THE CITY ATTORNEY:**

None.

8. **MATTERS FROM MAYOR AND MEMBERS OF COUNCIL:**

A. **POTENTIAL CALL-UPS:**

1. **LANDMARK ALTERATION CERTIFICATE TO DEMOLISH A 1,225 SQ. FT. HOUSE AND IN ITS PLACE CONSTRUCT A NEW 1,387 SQ. FT. ONE-STORY HOUSE AT 14 KINNIKINIC ROAD IN CHAUTAUQUA HISTORIC DISTRICT (HIS2010-00076). WIP DATE: JUNE 10, 2010. APPROVED 4-1 BY THE LANDMARKS BOARD, L. PAYTON OPPOSED/CONDITIONAL APPROVAL. LAST OPPORTUNITY FOR CALL-UP IS JULY 6, 2010. - 9:31 P.M.**

No action was taken on this item.

B. **REPORT ON HUMAN RELATIONS COMMISSION'S RECOMMENDATION ON A CITY POSITION ON ARIZONA'S IMMIGRATION ENFORCEMENT LAW AND COMPREHENSIVE FEDERAL IMMIGRATION REFORM. – 9:32 P.M.**

Mayor Osborne and City Manager Brautigam provided the introduction to the item.

Council Member Ageton commented that she would like to see the item connected with what the city would send to legislators via legislative agenda.

Mayor Osborne agreed with Council Member Ageton's comments and noted that using the legislative agenda allowed linking between Boulder and other organizations to strongly support immigration reform at the state level.

Council direction was to send the Arizona immigration enforcement and comprehensive federal immigration reform back to the Human Relations Commission for additional analysis.

C. **City Attorney Follow-up Items.**

Council Member Morzel presented the item which included a sick-leave bank for incoming City Attorney Tom Carr and a one-time cash bonus to Acting City Attorney David Gehr.

Council Member Morzel moved, seconded by Appelbaum to authorize the addition of 80 hours of sick leave (with no cash value) in the leave bank for Tom Carr the new city attorney.

Council Member Morzel moved, seconded by Ageton to authorize an alternative award of \$5,000 in honor of David Gehr's work as Acting City Attorney over the last six months.

Council Member Cowles moved seconded by Osborne to amend the amount from \$5,000 to \$10,000.

Other Matters:

Council Member Karakehian agreed to be on the transportation technical task force for the Colorado Municipal League along with a city staff member.

9. **PUBLIC COMMENT ON MATTERS:** 10:25 p.m.

1. Elizabeth Allen asked Council to implement the option on SmartRegs that allows for a faster implementation.

10. **FINAL DECISIONS ON MATTERS:** 10:26 p.m.

Vote was taken on the motion to direct staff to prepare ordinance language for a second reading that would implement Option C incorporating a compliance date for SmartRegs of December 31, 2018 for all rental properties in the City of Boulder. The motion carried unanimously 7:0; Becker and Gray absent.

Council Member Morzel moved, seconded by Appelbaum to authorize the addition of 80 hours of sick leave (with no cash value) in the leave bank for Tom Carr the new city attorney. The motion carried unanimously 7:0; Becker and Gray absent.

Council Member Cowles moved seconded by Osborne to amend the amount from \$5,000 to \$10,000. The motion failed 4:3; Cowles, Osborne and Karakehian in favor.

Council Member Morzel moved, seconded by Ageton to authorize an alternative award of \$5,000 in honor of David Gehr's work as Acting City Attorney over the last six months. The motion carried unanimously 7:0; Becker and Gray absent.

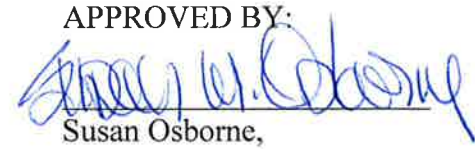
11. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 10:28 P.M.

ATTEST:


Alisa D. Lewis,
City Clerk

APPROVED BY:


Susan Osborne,
Mayor